IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 14040 of 2002

Between:

1 P. MANJULA D/O P. SHANKAR
R/o Peddamandadi (Village & mandal) Mahabubnagar District.
2 S. ARUNA D/O S. THIRUPATHAIAH
R/o Dattwipally (Village), wanaparthy Mandal, Mahabubnagar District

..... PETITIONER

AND

1 THE DISTRICT MEDICAL & HEALTH OFFICER
Mahabubnagar District,
2 THE DIRECTOR GENERAL OF MEDICAL & HEALTH SCIENCE & CHAIRMAN,
Para Medical recruitment Committee, Andhra Pradesh, Hyderabad
3 THE PRINCIPAL SECRETARY,
Medical, Health & Family Welfare Department, Secretariat, Hyderabad.
4 THE JOINT DIRECTOR, TRAINING AND SCHEMEE
O/o the Commissioner of Family Welfare, Sultan Bazar, Kothi, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to direct the 4th respondent to declare the result of the petitioners who appeared for the MPHW (F) Examination held in may 2002 with Hall Ticket Nos. 6614 and 6548 respectively,

Counsel for the Petitioner : MR.MAILARAM GIRI

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court made the following :

THE HONOURABLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.14040 OF 2002

ORDER:

This writ petition is filed by the petitioners seeking a direction to declare the results of the petitioners who have appeared for the M.P.H.W.(F) examination held in August, 2002 with Hall Ticket No.6614 and 6548 respectively and consequently direct the first respondent to receive the applications of the petitioners for the purpose of participation in the selection process for appointment to the said post in pursuance to the notification dated 20.5.2002.

By an interim order dated 1.8.2002 in W.P.M.P.No.17552 of 2002, this Court directed the first respondent to receive the applications of the petitioners for the purpose of participation in the selection process. The applications of the petitioners were received and they were allowed to participate in the selection process. Now the learned counsel for the petitioner states that the name of the petitioners was exhibited showing that the petitioners were selected, but thereafter no appointment orders were given.

A detailed counter affidavit is filed on behalf of the respondents admitting that the results of all the candidates including petitioners have already been declared and accordingly selection was finalized basing on the marks secured in the test, under intimation to the eligible candidates. But, it is not asserted in the counter that the petitioners have not come up for selection and the persons those who have got less

marks than the petitioners were appointed.

The petitioners assert that they have secured higher marks and the persons those who have got less marks were got appointed, whereas the petitioners were not appointed, in view of the pendency of this writ petition.

Under those circumstances, the only direction which can be issued by this Court is to direct the respondents to consider the case of the petitioners on the basis of the rank assigned to them in the merit list purported to have been exhibited by them and pass appropriate orders within a period of one month from the date of receipt of this order.

The writ petition is accordingly disposed of. No costs.

24.11.2004.

mdaa.

Copy to:

1 THE DISTRICT MEDICAL & HEALTH OFFICER
Mahabubnagar District,
2 THE DIRECTOR GENERAL OF MEDICAL & HEALTH SCIENCE & CHAIRMAN,
Para Medical recruitment Committee, Andhra Pradesh, Hyderabad
3 THE PRINCIPAL SECRETARY,
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O/o the Commissioner of Family Welfare, Sultan Bazar, Kothi, Hyderabad

5. Two C.Cs to G.P.for Medical Health and Family Welfare, High Court of A.P., Hyderabad.

6. Two C.D.copies.